

NOV. 16, 2005 9:27AM

GLA WELLCOME

NO. 8523 P. 1

JC10 Rec'd PCT/PTO 16 NOV 2005

gsk

GlaxoSmithKline

FAX

To Response to Missing Parts
.....
Company USPTO
.....
Fax 571-273-8300
.....
From Allyson K. Jacobs
.....
Tel 919-483-9105 **Fax** 919-483-7988
.....
E-mail allyson.k.jacobs@gsk.com
.....
Date 11/16/05 **Pages including cover** 19
.....
Subject Serial No.: 10/537,645
.....
Filing Date:
.....

Glaxo Wellcome Inc.
PO Box 13398
Five Moore Drive
Research Triangle Park
North Carolina 27709
Tel: 919 483 2100
www.gsk.com

RECEIVED
CENTRAL FAX CENTER

NOV 16 2005

Attached:

Response to Notice to File Missing Parts of Application + copy
Notification of Missing Requirements
PCT Notification of the Recording of a Change
Declaration for Utility or Design Patent Application
Power of Attorney
Certificate of Transmission

The information contained in these documents is confidential and may also be privileged and is intended for the exclusive use of the addressee designated above. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, reproduction, distribution, or any other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please contact us immediately by telephone so that we can arrange for its return.

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
PG5042USW

In Re Application Of: Dell 'Orco et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/537,645			23347		5139

Invention: CRYSTALLINE FORM

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

9/30/05

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), Identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

**PCT Notification of the Recording of a Change
Power of Attorney and Correspondence Address Indication Form**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**
**Docket No.
PG5042USW**

In Re Application Of: Dell 'Orco et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/537,645			23347		5139

Invention: CRYSTALLINE FORM

TO THE COMMISSIONER FOR PATENTS:**Mail Stop Missing Parts**

Completion of application fees as calculated below:

<input type="checkbox"/> Utility application basic fee	_____
<input type="checkbox"/> Design application basic fee	_____
<input type="checkbox"/> Search Fee	_____
<input type="checkbox"/> Examination Fee	_____
<input type="checkbox"/> Total number of independent claims =	_____
<input type="checkbox"/> Total number of claims =	_____
<input type="checkbox"/> Multiple dependent claims	_____
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	\$130.00
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	_____
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	_____
<input type="checkbox"/> Fee for processing and retention of application	_____

Total completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month Two months Three months Four months Five months

from: _____ until: _____

Date

Date

11/16/2005 BFREY1 00000065 071332 10537645

Total time extension fees _____

130.00 DA

Total fees due \$130.00

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533) (Large Entity)	Docket No. PG5042USW
--	-------------------------

In Re Application Of: Dell 'Orco et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/537,645			23347		5139

Invention: CRYSTALLINE FORM

TO THE COMMISSIONER FOR PATENTS:Mail Stop Missing Parts

The fee of \$130.00 is to be paid as follows:

A check in the amount of the fee is enclosed.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 07-1392

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1392

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: Nov. 15 2005

Amy H. Fix, Reg. No. 42,616
Attorney for Applicants
GlaxoSmithKline
Five Moore Drive, PO Box 13398
Research Triangle Park, NC 27709-3398
Telephone: (919) 483-8911
Facsimile: (919) 483-7988

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
(Date)	
<i>(Handwritten X)</i>	
Signature of Person Mailing Correspondence	
Typed or Printed Name of Person Mailing Correspondence	

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
PG5042USW

In Re Application Of: Dell 'Orco et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/537,645			23347		5139

Invention: CRYSTALLINE FORM

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

9/30/05

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

**PCT Notification of the Recording of a Change
Power of Attorney and Correspondence Address Indication Form**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
PG5042USW

In Re Application Of: Dell 'Orco et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/537,645			23347		5139

Invention: CRYSTALLINE FORM

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

Completion of application fees as calculated below:

Utility application basic fee _____

Design application basic fee _____

Search Fee _____

Examination Fee _____

Total number of independent claims = _____

Total number of claims = _____

Multiple dependent claims _____

Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$130.00

Petition and fee for filing by other than all the inventors or a person not the inventor _____

Fee for processing an application filed with a non-English language specification _____

Fee for processing and retention of application _____

Total completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month Two months Three months Four months Five months

from: _____ until: _____

Date

Total time extension fees _____

Total fees due \$130.00

NOV. 16. 2005 9:29AM GLAXOSMITHKLINE

NO. 8523 P. 8 of 2

COPIED TO THE UK



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

✓M/A&F/SJP/allyson

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,645	Philip Dell Orco	PG5042USW
INTERNATIONAL APPLICATION NO.		
PCT/EP03/13800		
IA. FILING DATE	PRIORITY DATE	
12/04/2003	12/06/2002	
CONFIRMATION NO. 5139		
371 FORMALITIES LETTER		
OC000000017126927		

Date Mailed: 09/30/2005

OCT 05 2005

GLOBAL INTELLECTUAL PROPERTY

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/06/2005
- Copy of the International Search Report filed on 06/06/2005
- Copy of IPE Report filed on 06/06/2005
- Preliminary Amendments filed on 06/06/2005
- Request for Immediate Examination filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Priority Documents filed on 06/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

DOCKETED

Docket No: PG5042USW
Attorney: A&F(SJP)
Paper: Submission w/ fee due
Due Date: 30 NOV 2005
Deadline: 30 APR 2006
Recorded: 21

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,645	PCT/EP03/13800	PG5042USW

FORM PCT/DO/EO/905 (371 Formalities Notice)

NOV. 16. 2005 9:29AM GLAXO WELLCOME

PATENT COOPERATION TREATY

10/537645
NO. 8523 P. 0
P20 300

Rec'd PCT/PTO 16 NOV 2005

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

Date of mailing (day/month/year) 02 June 2005 (02.06.2005)
Applicant's or agent's file reference SJB/PG5042
International application No. PCT/EP2003/013800

From the INTERNATIONAL BUREAU

To:

BAKER, Suzanne, Jane
GlaxoSmithKline
Corporate Intellectual Property
CN925.1
980 Great West Road
Brentford, Middlesex TW8 9GS
United Kingdom

IMPORTANT NOTIFICATION

International filing date (day/month/year) 04 December 2003 (04.12.2003)

1. The following indications appeared on record concerning:

the applicant the inventor the agent the common representative

Name and Address DELL'ORCO, Philip, C GlaxoSmithKline 709 Swedeland Road King of Prussia, PA 14906 United States of America	State of Nationality US	State of Residence US
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

the person the name the address the nationality the residence

Name and Address DELL'ORCO, Philip, C GlaxoSmithKline 709 Swedeland Road King of Prussia, PA 14906 United States of America	GlaxoSmithKline Corporate IP Received BRENTFORD 09 JUN 2005	State of Nationality US	State of Residence US
		Telephone No.	
		Facsimile No.	
		Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 938 89 76	Authorized officer Antonia MULLER (Fax : 338 89 75) Telephone No. (41-22) 938 8243
--	--

Form PCT/IB/308 (March 1994)

000708382

Doc Code:

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent and Trademark Office

on 11-16-05
Date

Allyson K. Jacobs
Signature

Allyson K. Jacobs

Typed or printed name of person signing Certificate

Registration Number, if applicable

919-483-9105

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify
each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.